

JACKIE WALORSKI
2ND DISTRICT, INDIANA

419 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3915

COMMITTEE ON ARMED SERVICES

COMMITTEE ON BUDGET

COMMITTEE ON VETERANS' AFFAIRS

Congress of the United States
House of Representatives
Washington, DC 20515-1402

202 LINCOLNWAY EAST
SUITE 101
MISHAWAKA, IN 46544
(574) 204-2845

December 23, 2013

1264

The Honorable Tom Wheeler
Chairman
Federal Communications Commissions
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

I am contacting you regarding enhanced underwriting announcements broadcast by Non-Commercial Educational (NCE) Public Interest Obligation (PIO) channels.

LeSEA Broadcasting, which has been based in my district for more than four decades, recently met with the FCC's Media Bureau to seek clarification on FCC requirements for NCE PIO channels and enhanced underwriting announcements.

I understand that additional questions remain and that LeSea continues to seek clarification to ensure they are in compliance with the law. As NCE PIO stations seek new ways of operating to accommodate today's challenging economic environment, it is crucial that standards for enhanced underwriting announcements are applied uniformly for all NCE PIO stations.

I urge the Commission to work with LeSea and other NCE PIO channels to more thoroughly clarify and explain FCC rules on enhanced underwriting announcements so that all NCE PIO stations can operate with assurance on federal standards.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,



Jackie Walorski
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 19, 2014

The Honorable Jackie Walorski
U.S. House of Representatives
419 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Walorski:

Thank you for your letter regarding LeSEA Broadcasting's questions seeking clarification on the Commission's rules and policies governing "enhanced underwriting" announcements by noncommercial educational (NCE) broadcast stations.

As you note in your letter, staff of the Commission's Media Bureau has met with LeSEA representatives, and the staff remains available to discuss any remaining issues that LeSEA may have. However, as Commission staff explained to LeSEA, we do not preview or provide advance approval of specific underwriting acknowledgments that a station intends to use. Doing so would raise serious First Amendment issues and also would place burdensome demands on limited staff resources.

The Commission's rules and policies governing "enhanced underwriting" are applied uniformly to all NCE broadcasters, and licensees are expected to exercise good faith judgment when determining whether a particular acknowledgement complies with the Commission's rules. To assist NCE broadcasters with this assessment, the Commission has issued a number of policy statements that offer guidance concerning permissible underwriting announcements. Additionally, the Enforcement Bureau evaluates "enhanced underwriting" complaints on a case-by-case basis. If the Bureau finds a violation has occurred after investigation of a complaint, it will take appropriate action. Prior decisions related to the "enhanced underwriting" rules can provide additional guidance to NCE licensees. All prior decisions are available to the public on the Enforcement Bureau's website (<http://www.fcc.gov/enforcement-bureau>).

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Wheeler", is positioned above the printed name.

Tom Wheeler